



CITY COUNCIL STAFF REPORT

MEETING DATE: March 19, 2003

Agenda Item # 18

Prepared By:

**Assistant to the City
Manager**

Submitted By:

City Manager

SOLID WASTE MANAGEMENT RATE ADJUSTMENT

RECOMMENDED ACTION(S):

1. Open/Close the Public Hearing
2. Approve the Refuse Rate Resolution

EXECUTIVE SUMMARY: The Council approved the fifth amendment to the City's franchise agreement for solid waste management services in December, 1998. One of the provisions of this amendment is that future service rates will be based upon changes in the Consumer Price Index. South Valley's rate application, Attachment 1, follows the formula prescribed in the franchise amendment. Attachment 2 is an excerpt from the amendment that describes the formula. The total rate adjustment requested is 1.09%. This rate adjustment will increase the maximum allowed charge for basic residential service rate of \$20.72 by 23¢ per month.

Attachment 1 lists all of the City's current solid waste rates and what the maximum rates will be with these adjustments. The maximum permitted monthly charge for flatland customers will be \$20.95 and the maximum permitted monthly charge for hillside customers will be \$22.82. Staff recommends adoption of the enclosed resolution.

If the rate adjustment is approved, South Valley will work with the City in designing a billing insert for their quarterly bills that clearly explains the adjustment methodology.

FISCAL IMPACT: If the rate application is approved, the City's franchise fee revenues will go up by 1.09% or approximately \$10,000.

RESOLUTION NO. 5651

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL
APPROVING AN ADJUSTMENT IN SOLID WASTE COLLECTION RATES**

WHEREAS, The City of Morgan Hill has approved the Fifth Amendment to the Solid Waste Franchise that establishes a rate setting methodology; and

WHEREAS, South Valley Disposal and Recycling has submitted an application for a rate adjustment that substantially complies with the methodology in the Amendment; and

WHEREAS, the cost of living, as indicated by the consumer price index, has increased during the past year causing an increase in the cost of providing service; and

WHEREAS, required contributions to landfill-related trust funds have remained low; and

WHEREAS, South Valley Disposal and Recycling has agreed to provide an educational insert in their next garbage billing explaining the rate adjustment process;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Morgan Hill authorizes South Valley Disposal and Recycling to adjust their rates up to the maximum levels listed on Attachment 1.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 19th Day of March, 2003, by the following vote.

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

🦉 CERTIFICATION 🦉

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Resolution No. 5651, adopted by the City Council at the Regular Meeting on March 19, 2003.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk

Attachment 2

Section 6. Franchise Collection Rates

(A) COMPANY shall not charge any amount in excess of the approved schedule of service rates for any services required or permitted to be performed by the terms of this Agreement. The approved service rates are those set forth in Exhibit A attached hereto and incorporated herein by reference, or as such Schedule of Rates may hereafter be amended by resolution of the City Council.

(B) COMPANY shall submit a request for an adjustment of service rates no later than March 1 of any given year if an adjustment is desired by the COMPANY. Any approved change in service rates shall become effective on July 1 of the same calendar year. For purposes of adjustment, the base rates shall be the rates in effect on January 1, in the calendar year the adjustment is made. Each base rate shall be adjusted annually on the basis of eighty percent (80%) of the net percentage change in the Consumer Price Index (CPI), all Urban Consumers (all items) for the San Francisco/Oakland Metropolitan Area. The indices used shall be those published by the United States Department of Labor, Bureau of Labor Statistics. All net percentage changes shall be calculated by the following formula:

$$\text{Net Percentage Change} = \frac{V(I) - V(I-1)}{V(I-1)}$$

Where: $V(I)$ = Index value as of November of the year preceding the adjustment year; and

$V(I-1)$ = Index value for the November of the second preceding year.

In addition to the adjustment provided for herein based upon the CPI, the parties agree to adjust the service rates based upon any extraordinary changes in circumstances that materially increase the COMPANY's costs of providing service hereunder that are substantially beyond the control of the COMPANY (including, without limitation, revisions to laws, ordinances, or regulations, or the interpretation or enforcement thereof). The parties furthermore agree to adjust the service rates to compensate for the following:

- (i) The need, if one arises, to dispose of waste originating in the CITY into a landfill other than the Pacheco Pass landfill;
- (ii) If a volume-based system is implemented, changes in the actual resident subscription rate for each can level that differ from the formula (80%-one can, 15%-two cans, and 5%-three cans) used to set the base rate for 1999;
- (iii) Changes in landfill trust fund payment requirements;
- (iv) Additional costs related to provision of additional services or the continuance of the optional commercial recycled paper recycling program; and
- (v) Changes in the franchise fee

The COMPANY shall include the following information in a request for an adjustment of service rates at a minimum:

- (i) The index values of V(I) and V(I-1);
- (ii) The net percentage change as calculated by the formula above;
- (iii) The percentage change equal to eighty percent (80%);
- (iv) The minimum amount of trust fund contributions required for the year;
- (v) The actual resident subscription rate for each can level if a volume-based system is implemented; and
- (vi) COMPANY's proposed new service rates

Upon receipt of an accurate and correctly calculated request for an adjustment of service rates, CITY shall determine the new service rates to be billed to customers and shall notify COMPANY of such service rates on or before May 1 of the year the adjustment is made.

Should the index named in this section not be published in November of any given year, the calculations shall be performed using the index values of the October immediately preceding the November contemplated by this Amendment.

(C) COMPANY agrees to provide eligible low-income residents with a 20% discount for residential service provided that:

- (i) The resident applying for the discount can prove that they are eligible to receive the "lifeline" discount rate offered by Pacific, Gas & Electric. In the event that this utility discount is no longer offered, the COMPANY and the CITY shall meet to agree upon a replacement measure of eligibility; and
- (ii) The resident subscribes to single-can service if a volume-based system is implemented.



CITY COUNCIL STAFF REPORT

MEETING DATE: March 19, 2003

OUT OF AGENCY SERVICE REQUEST OSR 03-01: BURNETT-MHUSD/SOBRATO HIGH SCHOOL

RECOMMENDED ACTION(S):

1. Open/Close the Public Hearing.
2. Adopt resolution of approval forwarding the request to LAFCO.

EXECUTIVE SUMMARY: The Morgan Hill Unified School District (MHUSD) is requesting approval of an Out of Agency Service application to allow provision of City water and sewer service to Sobrato High School. Sobrato High School will be located on 27.08 acres on the north side of Burnett Ave., approximately 1900 ft. east of the Burnett Avenue/Monterey Rd. intersection.

The high school site is within the City's Sphere of Influence, but is located outside of the City limits, Urban Service Area Boundary (USA), and Urban Growth Boundary (UGB). The City is conducting an Urban Limit Line "Greenbelt" study that may allow for the amendment of the UGB to include the High School site. If the site is added to the UGB, applications for inclusion into the USA and City Limits can be processed. The Urban Limit Line study is expected to be completed in early 2004.

Sobrato High School is scheduled to open in the fall of 2004. To allow for construction of the facility to proceed, water is immediately required for fire suppression purposes. Sewer service is not immediately required at this time, however, water and sewer service will ultimately be necessary to support the high school use. Approval from the Local Agency Formation Commission (LAFCO) will be necessary for the City to extend water and sewer service prior to annexation of the facility. Typically, the Council is asked to make a finding of existing or pending threat to public health and safety when considering Out of Agency Service applications. In this situation, Government Code Section 56133(c) authorizes LAFCO to allow a city to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization. The City and MHUSD have entered into a memorandum of understanding under which the District has agreed to annex the property into the City.

A 12-inch water line was recently installed along the north side of Burnett Avenue, extending along the project frontage. The size of the water line is sufficient to support the high school use. An 8-inch sewer line stops 164 ft. west of the high school site. The sewer line will need to be extended east on Burnett Ave. to reach the project site. The size of the sewer line is sufficient to serve the high school site.

The new high school is a significant benefit to the City of Morgan Hill and the MHUSD. An agreement currently exists between the City and the MHUSD committing to the extension of services and annexation of the property. To allow the high school construction to proceed prior to annexation, staff recommends that the service extension request be approved. If approved by the Council, a resolution will be forwarded to LAFCO for consideration.

FISCAL IMPACT: No budget adjustment required.

Agenda Item # 19

Prepared By:

Senior Planner

Approved By:

**Community
Development Director**

Submitted By:

City Manager

RESOLUTION NO. 5656

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN EXTENSION OF CITY WATER & SEWER SERVICE TO A HIGH SCHOOL FACILITY CURRENTLY UNDER CONSTRUCTION ON A 27.08 ACRE, UNINCORPORATED SITE LOCATED ON THE NORTH SIDE OF BURNETT AVENUE, APPROXIMATELY 1900 FEET EAST OF THE BURNETT AVENUE/MONTEREY RD. INTERSECTION. (APN 725-01-012 & 013)

WHEREAS, the City Council recognizes that the existing high school and junior high school facilities are over crowded. To reduce existing overcrowding and provide a high quality educational environment for the residents of Morgan Hill, the completion of Sobrato High School is significant for both the city and the Morgan Hill Unified School District.

WHEREAS, Sobrato High School is scheduled to open in 2004. To allow for construction of the facility to proceed, water is immediately required for fire suppression purposes during the construction period.

WHEREAS, the City Council finds that water and sewer service will ultimately be necessary to support the high school use on the property. Connecting the service lines during the initial construction process would be the most efficient use of time and resources.

WHEREAS, the sewer and water service will help ensure the project's completion for the 2004-2005 school year.

WHEREAS, without proper sewage disposal and water service, the high school cannot be completed on the site.

WHEREAS, no other options are available for providing sewage disposal and water for the property; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

WHEREAS, such request was considered by the City Council at their regular meeting of March 19, 2003 at which time the City Council approved the Out of Urban Service Area Request, OSR-02-02: Burnett Ave.-MHUSD/Sobrato High School.

NOW, THEREFORE, THE MORGAN HILL CITY COUNCIL DOES RESOLVE AS FOLLOWS:

SECTION 1. Sufficiently sized sewer and water services are available to the site from Burnett Ave. An agreement currently exists between the City and MHUSD committing to the future annexation of the school site. To allow the high school construction to

proceed prior to annexation, the Council directs staff to forward a request to LAFCO for consideration of an out of agency service request.

SECTION 2. Prior to filing an Out of Service Area Request application with LAFCO, the City shall forward this application to South County Regional Waste Water Authority for their review and approval. The City sewer and water lines currently exists in proximity to the project frontage and are sufficiently sized to accommodate the high school project.

SECTION 3. An Environmental Impact Report was approved and certified for the project prior to the issuance of a building permit.

SECTION 4. The Applicant shall enter into a hold harmless agreement and waiver and release agreement with the City in a form acceptable to the City Attorney. The agreement shall, at a minimum, hold harmless and release the City from all responsibility if the check valve or the sewer system fails and damage from any future sewer backup, overflow, or other contamination results.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 19th Day of March, 2003, by the following vote.

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

🔒 CERTIFICATION 🔒

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Resolution No. 5656, adopted by the City Council at a Regular Meeting held on March 19, 2003.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk



CITY COUNCIL STAFF REPORT

Agenda Item # 20

MEETING DATE: *March 19, 2003*

ADJUSTMENTS TO USER FEES, SERVICE CHARGES, AND MISCELLANEOUS UTILITIES FEES

RECOMMENDED ACTIONS:

1. Open & close Public Hearing
2. Adopt the Resolution

Prepared By:

Finance Director

Submitted By:

City Manager

EXECUTIVE SUMMARY: On July 17, 2002, the City Council adopted a new schedule of user fees, service charges, and miscellaneous utility fees effective September 17, 2002. The revised fees and new fees were based upon the attached study conducted by the City's consultant, Maximus. The consultant and staff presented proposed changes to User Fees, Service Charges, and Miscellaneous Utilities Fees in the categories of Planning, Building, Engineering, Police, Recreation, Finance, City Clerk, and Miscellaneous Utilities fees. The consultant determined the fee necessary to recover the estimated cost incurred by the City for each activity for which the City charges the public. The fees associated with the largest increase were for Planning, Building, and Engineering. Collectively, these fees brought into the Community Development Fund \$2,023,137 in an average year, but accounted for \$3,370,661 in costs, causing a \$1,347,524 annual loss. The consultant calculated that to fully recover these costs, Planning fees would need to increase by 129%, Building fees by 41%, and Engineering fees by 55%. In general, City practice has been to establish a policy regarding the percentage of costs borne in providing regulation, products, or services, and allow the City Manager to determine the actual percentage of costs. Current City policy, as stated in Municipal Code Chapter 3.50, is to recover 100% of costs reasonably borne in providing regulation, products, or services, with certain exceptions. For those Building fees referenced in the UBC tables, which are most Building fees, fees were adjusted in September to the 1997 UBC table amounts, which provided for full cost recovery.

Due to the pendency of the development processing audit, the City Council approved an increase of only 20% for certain planning fees, building fees not calculated on the UBC tables, and engineering fees, instead of the large increases necessary to bring these fees to the 100% mark, and directed staff to return following completion of the development processing audit with a more detailed assessment as to whether the large increases could be reduced. On November 6, 2002, staff presented to the City Council the response to the audit. The study did not identify areas for significant operating cost reduction, but rather recommended increased contract staffing. As a result, staff now recommends that the City move toward full cost recovery.

Staff proposes, as described in Attachment A, that fee adjustments necessary to bring planning, building, and engineering fees up to full cost recovery be implemented over a three year period beginning July 1, 2003, so as to encourage the economic well-being of the community. Staff requests approval in the attached Resolution, however, for only one-third of the increases that are necessary to bring fees up to full cost recovery, as described in Exhibit A to the Resolution. The projected increases programmed for July 1, 2004, and July 1, 2005, would be brought back to the City Council to determine whether those increases would be necessary at that time. In addition, staff recommends that most fees be adjusted by an inflationary factor each July 1 beginning July 1, 2003, so that inflation will not diminish full cost recovery. Exhibit A also includes 3 new planning fees for "Temporary Use Permit Review – Non-Profit Organizations" (3.1% cost recovery), for "Out-of-Agency Service Request" (100% cost recovery), and for "Exception to Loss of Building Allotment" (100% cost recovery). Staff advised developers of proposed adjustments by written notice on February 21.

FISCAL IMPACT: If the City Council adopts the proposed fees, the City would more accurately

recover its costs from those using City service.

NOTICE OF PUBLIC HEARING CITY OF MORGAN HILL

NOTICE IS HEREBY GIVEN that the City Council of the City of Morgan Hill will hold a public hearing On March 19, 2003, at the hour of 7:30 p.m. in the City Council Chambers located at 17555 Peak Avenue, Morgan Hill, California regarding the following:

USER FEES

- 1) proposed adjustments to existing user fees for the following: Community Development (Planning, Building, & Engineering), other Public Works, Finance, Police, and City Clerk;
- 2) proposed new Planning user fees for Non-Profit Temporary Use Permit, Out-of-Agency Service Request, and Exception to Loss of Building Allotment.

Data indicating the amount of cost, or estimated cost, to provide the services for which the fees and/or service charges listed above are levied, and the revenue sources anticipated to provide the service, including General Fund revenues, will be available as of 3:00 P. M. on February 21, 2003, in the Finance Department at 17555 Peak Avenue, Morgan Hill, California.

Any specific comments regarding this City Council agenda item may be submitted in writing to the City Clerk at the above address. If you have any questions concerning this notice, please call the office of the City Clerk at 779-7259.

/s/ IRMA TORREZ, CITY CLERK

Publish date: March 8, 2003

RESOLUTION NO. 5658

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL RESCINDING RESOLUTION NO. 5591 AND ESTABLISHING FEES AND SERVICE CHARGES PURSUANT TO TITLE 3, CHAPTER 3.50, OF THE MORGAN HILL MUNICIPAL CODE

WHEREAS, on September 7, 1988, the City Council of the City of Morgan Hill adopted Ordinance No. 880, N.S., codified as Chapter 3.50 of the Morgan Hill Municipal Code, which establishes city policy as to the percentage of the City's costs to be recovered from users of City services; and,

WHEREAS, consistent with Chapter 3.50, City policy is to recover the full cost of providing special services of a voluntary and limited nature, in order that general tax monies used to fund services of a broader nature, such as police and fire protection, are not diverted and thereby utilized to unfairly and inequitably fund special services; and,

WHEREAS, in order to effectuate its cost recovery policy the City Council has adopted various resolutions setting forth fees and charges, including Resolution No. 5591; and,

WHEREAS, in a report dated May 2002, by DMG Maximus, the City of Morgan Hill conducted an extensive and exhaustive analysis of its services, the costs of providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for those services; and,

WHEREAS, City staff has provided information regarding the costs of providing services and the analytical process used to arrive at such costs to the general public, and has held two public information sessions regarding the same; and,

WHEREAS, on March 19th, 2003, the City Council held a noticed public hearing on the fees, and duly considered all written and verbal information presented to it, which testimony and exhibits are hereby incorporated into the record of this matter.

NOW, THEREFORE, the City Council of the City of Morgan Hill, based upon all documents, statements and facts known to the City, does hereby resolve:

SECTION 1. Rescission of Resolution No. 5591. The City Council hereby rescinds Resolution No. 5591.

SECTION 2. Fee Schedule Adoption. Based upon the record before it and the findings set forth above, the City Council hereby adopts the schedule of fees and charges attached hereto and incorporated herein as Exhibit A. The City Council directs the City Manager to have appropriate City departments apply and collect said fees for identified services.

SECTION 3. Separate Fee For Each Process; Additional Fees and Refunds. All fees set by this resolution are for each identified process or service. Additional fees shall be required for each additional process or service that is requested or required. Where fees are indicated on a per unit basis of measurement, the fee stated is for the identified unit or portion thereof within the indicated ranges of such units.

SECTION 4. Collection of Fees and Implementation Dates. The City Council hereby orders that all increases in fees specified in Exhibit A be effective July 1, 2003. The City Council finds that delay in implementation, as stated in Exhibit A, is necessary to (1) encourage the economic well-being of the community through proactive initiatives which leverage private sector investment and involvement, thereby lessening some of the cost impacts on projects, and (2) to allow developers certainty in the development process.

SECTION 5. Automatic Annual Adjustment. Each fee, for which "CPI" is referenced in Exhibit A, shall be adjusted automatically on July 1 of each fiscal year, beginning on July 1, 2003, by the increase in the Consumer Price Index for Urban Wage Earners, for the year ended the previous April.

SECTION 6. Interpretation. This Resolution may be interpreted by the City Manager. Should there be a conflict in regards to the applicability of the fees, or the charges imposed thereunder, the City Manager is authorized to determine which fee, or combination thereof, should be applied.

SECTION 7. Severability. If any portion of this Resolution is declared invalid by a court of competent jurisdiction then it is the intent of the City Council that all other portions of the Resolution shall be severed and remain in full force and effect.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 19th Day of March, 2003, by the following vote.

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

🔐 CERTIFICATION 🔐

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Resolution No. 5658, adopted by the City Council at a Regular Meeting held on March 19, 2003.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk

EXHIBIT A

Service No	Account Number	Service Center	Unit	Current Fee	Proposed Fee July 1, 2003
1	206-38400	Building Plan Checking	Plan	75% Building Permit Fee for Building Department personnel. 95% of Bldg permit fee if other departments also involved. Plus fully burdened hourly rate* for more than 2 initial plan checks	Same
2	206-Various	Construction Inspection	Permit	Varies depending on UBC 1997 Table 3-A	Same
2 B	206-38400	Address Numbering	Request	\$53 per parcel map \$106 per tract map-1 st 40 addresses \$5.00 each additional	Same <u>+CPI</u>
2 C	206-38400	Address Renumbering	Request	\$106	Same <u>+CPI</u>
2 D	206-38400	Street Name Change Review	Application	\$652	Same <u>+CPI</u>
3	206-38148	Sign Permit Review & Inspection	Application	\$368 plus \$35 for free standing structure	<u>\$553 +CPI</u>
3 A	206-38149	Sign Copy Review	Application	\$36	<u>\$129 +CPI</u>
4	206-38418	Bldg. Compliance Inspect.	Inspection	\$126	Same <u>+CPI</u>
5	206-38421	Post Fire Bldg. Ins.	Inspection	Actual time at burdened hourly rate*	Same
6	206-38424	Bldg. Record Check Fees	Request	Actual time at burdened hourly rate*	Same
6 A	206-38427	Preliminary Bldg. Code Review	Request	Actual time at burdened hourly rate*	Same
6B	206-38102	Annexation Inspections	Request	\$160	Same <u>+CPI</u>
7	206-38159	Tentative Parcel Map Fee	Application	\$2,363	<u>\$2,813 +CPI</u>
8	206-38160	Tentative Subdivision Map Fee	Application	\$4,033	<u>\$4,254 +CPI</u>
9	206-38138	Reversion to Acreage Permits	Application	\$722	<u>\$1,603 +CPI</u>
10	206-38712	Lot Line Adjustment (PW)	Application	\$734	<u>\$911 +CPI</u>
11	206-38155	Arch & Site Plan Review	Application	\$2,137	<u>\$2,805 +CPI</u>
11 A	206-38155	Plan Detail Review	Application	Fully burdened hourly rate*	Same

EXHIBIT A

Service No	Account Number	Service Center	Unit	Current Fee	Proposed Fee July 1, 2003
12	206-38153	Site Plan Review Fees	Application	\$1,642	<u>\$2,320 +CPI</u>
13	206-38154	Conceptual Plan Review	Application	\$892	<u>\$1,820 +CPI</u>
15	206-38118	Dev. Approval Amendment Non-Admin	Application	Fully burdened hourly rate	Same
15 A	206-38119	Dev. Approval Amendment Admin	Application	Fully burdened hourly rate	Same
16	206-38147	Uniform Sign Program	Application	\$877	<u>\$1,200 +CPI</u>
17	206-38133	Time Ext. Review-Non Admin.	Application	\$962	<u>\$1,435 +CPI</u>
17 A	206-38132	Time Ext. Review-Admin.	Application	\$218	<u>\$453 +CPI</u>
18	206-38156	Preliminary Plan Review	Application	\$2,744	<u>\$3,158 +CPI</u>
19	206-38170	Conditional Use Permit	Application	\$2,420	<u>\$3,127 +CPI</u>
20	206-38174	Variance Review	Application	\$2,023	<u>\$2,888 +CPI</u>
20 A	206-38175	Variance Review-Minor Exceptions	Application	\$602	<u>\$1,053 +CPI</u>
21	206-38171	Temporary Use Permit Review	Application	\$566	<u>\$915 +CPI</u>
21A	206-38171	Temporary Use Permit Amendment	Application	\$382	Same <u>+CPI</u>
21B	206-38173	Temporary Use Permit Review – Non-Profit Organizations	Application	<u>NEW</u>	<u>\$50</u>
22	206-38169	Out-of-Agency Service Request	Application	<u>NEW</u>	<u>\$3,000 +CPI plus any LAFCO fees</u>
23	206-38181	Planned Unit Development	Application	\$3,120	<u>\$3,775 +CPI</u>
24	206-38182	P.U.D. Amendment Review	Application	Fully burdened hourly rate*	Same
25	206-38135	General Plan Review & Revision	Application	\$3,211	<u>\$3,693 +CPI</u>
26	206-38100	Annexation Processing	Application	\$2,350 plus any LAFCO fees	<u>\$3,197 +CPI</u> plus any LAFCO fees
27	206-38185	Zoning Amendment Review	Application	\$2,384 \$1,060 if processed concurrently with General Plan Amendment or Annexation	<u>\$3,038 +CPI</u> \$1,060 <u>+CPI</u> if processed concurrently with General Plan Amendment or Annexation
28	206-38186	Zoning Text Amendment Review	Application	\$2,744	<u>\$3,511 +CPI</u>
29	206-38123	Urban Service Area Amendment	Application	\$2,150/City initial process \$3,707/LAFCO	<u>\$2,986 +CPI</u> /City initial process <u>\$3,874 +CPI</u> /LAFCO

EXHIBIT A

Service No	Account Number	Service Center	Unit	Current Fee	Proposed Fee July 1, 2003
30	206-38125	Initial Environmental Assessment Review	Application	\$388 +Co. Charges & Fish & Game Fees	Same <u>+CPI</u>
31	206-38126	Expanded Initial Environmental Assessment Review	Application	\$1,940 or 22% of study costs whichever is greater plus actual cost of Study and required State and County fees.	\$1,940 <u>+CPI</u> or 22% of study costs whichever is greater plus actual cost of Study and required State and County fees
32	820-21708	Environmental Impact Review	Study	\$4,656 or 19% of study costs whichever is greater plus actual cost of Study and any required County and State fees.	\$4,656 <u>+CPI</u> or 19% of study costs whichever is greater plus actual cost of Study and any required County and State fees.
33	206-38183	Res. Planned Dev Review	Application	\$3,199 \$1,137 if processed concurrently with Tentative Subdivision or Parcel Map	<u>\$3,608 +CPI</u> \$1,137 <u>+CPI</u> if processed concurrently with Tentative Subdivision or Parcel Map
34	206-38184	Res. Planned Dev Amendment Review	Application	Fully burdened hourly rate*	Same
35	206-38141	Preliminary Measure "P" Review	Application	\$1,981	<u>\$2,598 +CPI</u>
35 A	206-38143	Micro Measure 'P' Admin Review	Application	\$1,168	<u>\$2,366 +CPI</u>
35 B	206-38144	Micro Measure 'P' Non-Admin Review	Application	\$913	<u>\$2,713 +CPI</u>
36	206-38142	Final Measure 'P' Review	Application	\$4,415	<u>\$6,600 +CPI</u>
37	206-38111	Cultural Resource Designation Review	Application	\$1,578	<u>\$2,225 +CPI</u>
38	206-38112	Cultural Resource Alteration	Application	\$1,649	<u>\$2,273 +CPI</u>
39	206-38104	Process Appeal-Com Board Decision	Application	\$1,400	<u>\$1,695 +CPI</u>
40	206-38105	Process Appeal-Staff	Application	\$368	<u>\$1,007 +CPI</u>
41	206-38115	Development Agreement Review	Request	\$1,004 \$614 if processed concurrently with Tentative Subdivision or Parcel Map.	<u>\$2,118 +CPI</u> <u>\$1,833+CPI</u> if processed concurrently with Tentative Subdivision or Parcel Map.
42	206-38122	Dev. Credit Trans. Admin.	Request	Fully burdened hourly rate*	Same
42 A	206-38740	Reimbursement Agreement	Application	\$708	<u>\$958 +CPI</u>

EXHIBIT A

Service No	Account Number	Service Center	Unit	Current Fee	Proposed Fee July 1, 2003
43	206-38178	Williamson Act. Cancel. Review	Request	\$1,372	<u>\$2,147 +CPI</u>
44	206-38187	Zoning Conf. Review	Request	\$71	<u>\$329 +CPI</u>
44 A	206-38725	Flood Zone Review	Application	\$65	Same <u>+CPI</u>
45	206-38163	Tree Removal Review	Application	\$50	Same <u>+CPI</u>
46	206-38176	Exception to Loss of Building Allotment	Request	<u>NEW</u>	<u>\$1,435 +CPI</u>
47	206-38108	C.C. & R. Review	Application	\$191 plus fully burdened hourly rate* for City Attorney review	<u>\$613 +CPI</u> plus fully burdened hourly rate* for City Attorney review
48	206-38198	Planning Consultation	Request	Fully burdened hourly rate*	Same
48 A	207-37912	General Plan Maintenance	Application	A surcharge of 3% of the permit fee added to each Bldg. and Planning Permit.	Same
49	206-38734	Eng. Plan Checking & Inspect.	Application	Fee Based on Estimated Construction costs. For est. constructions costs -up to \$100,000 = 10.8% -between \$100,001 and \$200,000 = 9.6% - between \$200,001 and \$500,000 = 8.4% - exceeding \$500,000 = 7.2%	Fee Based on Estimated Construction costs. For est. constructions costs -up to \$100,000 = <u>11.7%</u> -between \$100,001 and \$200,000 = <u>10.5%</u> - between \$200,001 and \$500,000 = <u>9.1%</u> - exceeding \$500,000 = <u>7.8%</u>
49 A	206-38719	Engineering Services/Consultation	Request	Fully burdened hourly rate*	Same
50	206-38737	Street Vacation Review	Application	Fully burdened hourly rate* plus attorney's fees	Same
50 A	206-38737	Easement Abandonment	Application	\$1306	<u>\$1,525 +CPI</u>
52	206-38430	Certificate of Compliance	Request	\$947	<u>\$1,382 +CPI</u>
55	206-38703	Encroachment Rev. & Insp.	Permit	\$158 per permit plus fully burdened hourly rate for inspection time in excess of one hour.	<u>Utility: \$199 +CPI</u> per permit plus fully burdened hourly rate for inspection time in excess of one hour. <u>Private: \$240 +CPI</u> per permit plus fully burdened hourly rate

EXHIBIT A

Service No	Account Number	Service Center	Unit	Current Fee	Proposed Fee July 1, 2003
57 C	Various	Commercial Development Assistance	Request	Fully burdened hourly rate*	Same
57 D	Various	Residential Dev. Financial Assistance	Request	Fully burdened hourly rate*	Same
59	010-37204	Bicycle Registration	License	\$10	Same <u>+CPI</u>
62	206-38433	Bldg. & Health Code Enforcement	Inspection	Fully burdened hourly rate*	Same
63	206-38442	Zoning Code Enforcement	Inspection	Fully burdened hourly rate*	Same
65	010-37636	Community Event Security	Hour	Fully burdened hourly rate*	Same
65 B	010-37914	Special Traffic Control	Request	Fully burdened hourly rate*	Same
66	010-37834	Police False Alarm Charge	Response	One free plus \$119 for each additional false alarm within 90 days	Same <u>+CPI</u>
67	206-38722	Wide and Overweight Load Review	Permit	Single Trip-\$22 Blanket (Annual) \$108	Same <u>+CPI</u>
69	010-37836	Police Report	Report	\$12 plus \$0.30 for each page over 5 PP.	\$12 + <u>\$0.04</u> for each page over 5 PP. <u>+CPI</u>
70	010-37633	DUI Investigations	Citation	\$540	Same <u>+CPI</u>
71 A	010-37901	Stored Vehicle Release Processing	Vehicle	\$58	Same <u>+CPI</u>
71 B	010-37902	VIN Verification	Response	\$48	Same <u>+CPI</u>
72	010-37839	Police Photograph Sale	Photo	\$17 Photo \$18 video tape \$34 90-minute audio tape \$25 60-minute audio tape	Same <u>+CPI</u>
88 A	Various	Special Events - Community Parks	Event	Fully burdened hourly rate*	Same
88 B	Various	Special Events - City Streets	Event	Fully burdened hourly rate*	Same
89	206-38428	Parcel Map Address	Application	\$53	Same <u>+CPI</u>
90	206-38428	Tract Map Address	Application	\$106	Same <u>+CPI</u>
91	206-38723	Wide Load Review - PW	Application	\$19	<u>\$61 +CPI</u>
92	206-38724	Wide Load Permit	Permit	\$108	<u>\$121 +CPI</u>
93	206-38741	Reimbursement Agreement - PW	Application	\$708	\$958 <u>+CPI</u>
100 A	650-37661	Secondary Water Quality Testing	Service Call	\$80	Same <u>+CPI</u>

EXHIBIT A

Service No	Account Number	Service Center	Unit	Current Fee	Proposed Fee July 1, 2003
101	650-37672	Meter Install & Service	Meter	\$51 plus cost of meter plus \$125 for MXU radio read & install 5/8" to 2" meter; Fully burdened hourly rate* plus cost of meter plus \$125 for MXU radio read & install 3" meter	Same <u>+CPI</u>
102	650-37858	Utility Account Set-up	Customer	\$25	Same <u>+CPI</u>
103	650-37673	Delinquent Water Turn Off/On	Customer	\$38-normal working hrs. \$76-after hours	Same <u>+CPI</u>
103 A	650-37892	Utility Service Call	Request	Fully burdened hourly rate*	Same
104	650-37859	Annual Backflow Testing Administration	Test	\$10	Same <u>+CPI</u>
104 A	650-37859	Construction Backflow Inspect.	Inspection	\$46	Same <u>+CPI</u>
104C	650-37882	Delinquent Door Hangers	Delinquent Acct	\$4	Same <u>+CPI</u>
116	010-37867	Retuned Check Processing	Check	\$18	Same <u>+CPI</u>
117	010-37868	Records Research Service	Hour	Fully burdened hourly rate* against an initial deposit	Same
117 A	640-37881 650-37881	Utility Bill-Delinquent Charges	Customer	1-1/2% per month on delinquent unpaid balance	Same
117 B	650-37882	Delinquent Bill Processing (Notice)	Bill	\$12	Same <u>+CPI</u>
118	010-37617	Document Print & Copying	Item	\$0.30 per page	<u>\$0.04</u> per page <u>+CPI</u>
119	010-37869	Agenda Mail Service - Annual	Request	\$0.30 per page.	<u>\$0.04</u> per page <u>+CPI</u>
119A	010-37869	City Council Agenda Packet Mail Service – Annual	Request	\$1,584	<u>\$211</u> <u>+CPI</u>
119B	206-38192	Planning Commission Agenda Packet Mail Service – Annual	Request	\$569	<u>\$76</u> <u>+CPI</u>
123	010-37678	Electronic Search of Public Records	Tape	\$2,500	Same <u>+CPI</u>
124	010-37883	City Attorney	Request	. Fully burdened hourly rate*	Same
125	304-37663	Storm Drain Fees – Frontage Charge One-Sided Two-Sided	Lineal Foot Lineal Foot	\$80 \$40	Same <u>+CPI</u>

EXHIBIT A

Service No	Account Number	Service Center	Unit	Current Fee	Proposed Fee July 1, 2003
126 A	650-37663	Front Footage Charge			Same <u>+CPI</u>
		Water One-sided	Lineal Foot	\$50	
		Water Two-sided	Lineal Foot	\$25	
B	640-37663	Sewer One-Sided	Lineal Foot	\$50	
		Sewer Two-Sided	Lineal Foot	\$25	
129	350-37648	Underground Utilities Fees			Same <u>+CPI</u>
		One-Sided	Lineal Foot	\$200	
		Two-Sided	Lineal Foot	\$100	
132	010-37875	Bond Letter	Request	\$45	Same <u>+CPI</u>
135	206-38716	Map Checking-Parcel Map	Request	\$2,579/parcel map \$3,634msubdivision map	Same <u>+CPI</u>
137	010-37886	Business License Application Review	Application	\$46-new/moved \$0-renewal \$57-if home occupancy permit is needed	Same <u>+CPI</u>
139	010-37917	Business License Listing	Request	\$0.30 per page	<u>\$0.04</u> per page <u>+CPI</u>
140	010-37980	Animal Control Fees		**See below**	
140 A	010-37980	Animal Establishment Permits:			Same <u>+CPI</u>
		a) Pet shop, commercial kennel, pet grooming parlor, animal menagerie, animal shelter or horse establishment	Permit	\$96	
		b) Private Kennel	Permit	\$51	
140 B	010-37980	Cat Registration Fees:			Same <u>+CPI</u>
		a)neutered or spayed animal 1 yr	License	\$12	
		b)neutered or spayed animal (3yrs)	License	\$31	
		c)unaltered animal (1 yr)	License	\$17	
		d)unaltered animal (3 yrs)	License	\$41	
140 C	010-37980	Dog License Fees:			Same <u>+CPI</u>
		a)neutered or spayed animal (1 yr)	License	\$12	
		b)neutered or spayed animal (3 yrs)	License	\$31	
		c)unaltered animal (1 yr)	License	\$17	
		d)unaltered animal (3 yrs)	License	\$41	
		e)Penalty fee per MHMC 6.12.060			
		f)Duplicate Tag	License	\$25	
		g)Potentially Dangerous Animal Fee	License	\$4	
			Incident	\$50	
140 D	010-37980	Bite Investigation and Report	Incident	\$125	Same <u>+CPI</u>
140 E	010-	Inspection and Quarantine Order:	Incident		Same <u>+CPI</u>

EXHIBIT A

Service No	Account Number	Service Center	Unit	Current Fee	Proposed Fee July 1, 2003
	37980	a. Plus actual costs of housing, feeding & care of quarantined animal. b. The administrator may waive said fee as follows: 1. Where dog is only suspected of biting; 2. Dogs used in gvrnmnt. law enforcement; 3. Guide dogs for blind or deaf persons; 4. Dogs that have bitten any person trespassing on the dog owners 5. Dogs that have bitten any person trespassing on the dog owner's property.		\$105	
140 F	010-37980	Impoundment - Does not include county shelter drop fee for dogs and cats. Hauling and boarding costs for livestock shall be charged the owner in an amount sufficient to defray all actual expenses, including staff time and overhead.	Incident	\$105	Same <u>+CPI</u>
140 G	010-37980	Board Fees for each day over 2 a) Dog (per day) b) Cat (per day) c) Other animals (per day)	Incident	Impoundment + \$15/day Impoundment + \$15/day Impoundment + \$15/day	Same <u>+CPI</u>
140 H	010-37980	County Shelter Drop Fee Does not include boarding fees charged per day.	Incident	Per agreement	Same
141	010-37633	Police Mutual Aid	Hour	Overtime Rate	Same
142A	010-37221	Live Entertainment Permit – New	Permit	\$72	Same <u>+CPI</u>
142B	010-37221	Live Entertainment Permit – Renewal	Permit	\$39	Same <u>+CPI</u>
142C	010-37221	Live Entertainment Permit – 1-time only	Permit	\$55	Same <u>+CPI</u>
142D	010-37222	Taxi License – Company	License	\$97	Same <u>+CPI</u>
142E	010-37222	Taxi License – Driver	License	\$47	Same <u>+CPI</u>
142F		Adult Business Permit	Permit	\$226	Same <u>+CPI</u>
143	010-37636	Special Police Detail	Hour	Fully burdened hourly rate*	Same
154	010-	Other Extraordinary Services	Request	Fully burdened	Same

EXHIBIT A

Service No	Account Number	Service Center	Unit	Current Fee	Proposed Fee July 1, 2003
	37938	(including After Hours Inspections, Noise Level Monitoring Code Enforcement, and Research)		hourly rate*	

- Burdened hourly rates are to be established by the City Manager at a rate that does not exceed the sum of the actual salary, employee benefit, and applicable overhead costs

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
1	206-38400	Building Plan Checking	Plan	75% Building Permit Fee for Building Department personnel. 95% of Bldg permit fee if other departments also involved. Plus fully burdened hourly rate* for more than 2 initial plan checks	Same	Same	Same	100%
2	206-Various	Construction Inspection	Permit	Varies depending on UBC 1997 Table 3-A	Same	Same	Same	100%
2 B	206-38400	Address Numbering	Request	\$53 per parcel map \$106 per tract map-1 st 40 addresses \$5.00 each additional	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
2 C	206-38400	Address Renumbering	Request	\$106	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
2 D	206-38400	Street Name Change Review	Application	\$652	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
3	206-38148	Sign Permit Review & Inspection	Application	\$368 plus \$35 for free standing structure	<u>\$553 +CPI</u>	<u>\$738 +CPI</u>	<u>\$922 +CPI</u>	100%
3 A	206-38149	Sign Copy Review	Application	\$36	<u>\$129 +CPI</u>	<u>\$222 +CPI</u>	<u>\$315 +CPI</u>	100%
4	206-38418	Bldg. Compliance Inspect.	Inspection	\$126	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
5	206-38421	Post Fire Bldg. Ins.	Inspection	Actual time at burdened hourly rate*	Same	Same	Same	100%
6	206-38424	Bldg. Record Check Fees	Request	Actual time at burdened hourly rate*	Same	Same	Same	100%
6 A	206-	Preliminary Bldg. Code Review	Request	Actual time at	Same	Same	Same	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
	38427			burdened hourly rate*				
6B	206-38102	Annexation Inspections	Request	\$160	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
7	206-38159	Tentative Parcel Map Fee	Application	\$2,363	<u>\$2,813 +CPI</u>	<u>\$3,263 +CPI</u>	<u>\$3,713 +CPI</u>	100%
8	206-38160	Tentative Subdivision Map Fee	Application	\$4,033	<u>\$4,254 +CPI</u>	<u>\$4,475 +CPI</u>	<u>\$4,695 +CPI</u>	100%
9	206-38138	Reversion to Acreage Permits	Application	\$722	<u>\$1,603 +CPI</u>	<u>\$2,484 +CPI</u>	<u>\$3,364 +CPI</u>	100%
10	206-38712	Lot Line Adjustment (PW)	Application	\$734	<u>\$911 +CPI</u>	<u>\$1,088 +CPI</u>	<u>\$1,264 +CPI</u>	100%
11	206-38155	Arch & Site Plan Review	Application	\$2,137	<u>\$2,805 +CPI</u>	<u>\$3,473 +CPI</u>	<u>\$4,140 +CPI</u>	100%
11 A	206-38155	Plan Detail Review	Application	Fully burdened hourly rate*	Same	Same	Same	100%
12	206-38153	Site Plan Review Fees	Application	\$1,642	<u>\$2,320 +CPI</u>	<u>\$2,997 +CPI</u>	<u>\$3,674 +CPI</u>	100%
13	206-38154	Conceptual Plan Review	Application	\$892	<u>\$1,820 +CPI</u>	<u>\$2,747 +CPI</u>	<u>\$3,674 +CPI</u>	100%
15	206-38118	Dev. Approval Amendment Non-Admin	Application	Fully burdened hourly rate	Same	Same	Same	100%
15 A	206-38119	Dev. Approval Amendment Admin	Application	Fully burdened hourly rate	Same	Same	Same	100%
16	206-38147	Uniform Sign Program	Application	\$877	<u>\$1,200 +CPI</u>	<u>\$1,523 +CPI</u>	<u>\$1,845 +CPI</u>	100%
17	206-38133	Time Ext. Review-Non Admin.	Application	\$962	<u>\$1,435 +CPI</u>	<u>\$1,907 +CPI</u>	<u>\$2,379 +CPI</u>	100%
17 A	206-38132	Time Ext. Review-Admin.	Application	\$218	<u>\$453 +CPI</u>	<u>\$688 +CPI</u>	<u>\$922 +CPI</u>	100%
18	206-38156	Preliminary Plan Review	Application	\$2,744	<u>\$3,158 +CPI</u>	<u>\$3,572 +CPI</u>	<u>\$3,985 +CPI</u>	100%
19	206-38170	Conditional Use Permit	Application	\$2,420	<u>\$3,127 +CPI</u>	<u>\$3,834 +CPI</u>	<u>\$4,540 +CPI</u>	100%
20	206-38174	Variance Review	Application	\$2,023	<u>\$2,888 +CPI</u>	<u>\$3,753 +CPI</u>	<u>\$4,618 +CPI</u>	100%
20 A	206-	Variance Review-Minor	Application	\$602	<u>\$1,053 +CPI</u>	<u>\$1,504 +CPI</u>	<u>\$1,934 +CPI</u>	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
	38175	Exceptions						
21	206-38171	Temporary Use Permit Review	Application	\$566	<u>\$915 +CPI</u>	<u>\$1,264 +CPI</u>	<u>\$1,612 +CPI</u>	100%
21A	206-38171	Temporary Use Permit Amendment	Application	\$382	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
21B	206-38173	Temporary Use Permit Review – Non-Profit Organizations	Application	<u>NEW</u>	<u>\$50</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	3.10%
22	206-38169	Out-of-Agency Service Request	Application	<u>NEW</u>	<u>\$3,000 +CPI plus any LAFCO fees</u>	<u>\$3,784 +CPI CPI plus any LAFCO fees</u>	<u>\$4,567 +CPI plus any LAFCO fees</u>	100%
23	206-38181	Planned Unit Development	Application	\$3,120	<u>\$3,775 +CPI</u>	<u>\$4,429 +CPI</u>	<u>\$5,083 +CPI</u>	100%
24	206-38182	P.U.D. Amendment Review	Application	Fully burdened hourly rate*	Same	Same	Same	100%
25	206-38135	General Plan Review & Revision	Application	\$3,211	<u>\$3,693 +CPI</u>	<u>\$4,175 +CPI</u>	<u>\$4,657 +CPI</u>	100%
26	206-38100	Annexation Processing	Application	\$2,350 plus any LAFCO fees	<u>\$3,197 +CPI</u> plus any LAFCO fees	<u>\$4,043 +CPI</u> plus any LAFCO fees	<u>\$4,889 +CPI</u> plus any LAFCO fees	100%
27	206-38185	Zoning Amendment Review	Application	\$2,384 \$1,060 if processed concurrently with General Plan Amendment or Annexation	<u>\$3,038 +CPI</u> \$1,060 <u>+CPI</u> if processed concurrently with General Plan Amendment or Annexation	<u>\$3,692 +CPI</u> \$1,060 <u>+CPI</u> if processed concurrently with General Plan Amendment or Annexation	<u>\$4,346 +CPI</u> \$1,060 <u>+CPI</u> if processed concurrently with General Plan Amendment or Annexation	100%
28	206-38186	Zoning Text Amendment Review	Application	\$2,744	<u>\$3,511 +CPI</u>	<u>\$4,278 +CPI</u>	<u>\$5,045 +CPI</u>	100%
29	206-38123	Urban Service Area Amendment	Application	\$2,150/City initial process \$3,707/LAFCO	<u>\$2,986 +CPI</u> /City initial process <u>\$3,874 +CPI</u> /LAFCO	<u>\$3,822 +CPI</u> /City initial process <u>\$4,040 +CPI</u> /LAFCO	<u>\$4,657 +CPI</u> /City initial process <u>\$4,206 +CPI</u> /LAFCO	100%
30	206-38125	Initial Environmental Assessment Review	Application	\$388 +Co. Charges & Fish & Game Fees	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
31	206-38126	Expanded Initial Environmental Assessment Review	Application	\$1,940 or 22% of study costs whichever is greater plus actual cost	\$1,940 <u>+CPI</u> or 22% of study costs whichever is greater plus actual	\$1,940 <u>+CPI</u> or 22% of study costs whichever is greater plus actual	\$1,940 <u>+CPI</u> or 22% of study costs whichever is greater plus actual	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
				of Study and required State and County fees.	cost of Study and required State and County fees	cost of Study and required State and County fees	cost of Study and required State and County fees	
32	820-21708	Environmental Impact Review	Study	\$4,656 or 19% of study costs whichever is greater plus actual cost of Study and any required County and State fees.	\$4,656 +CPI or 19% of study costs whichever is greater plus actual cost of Study and any required County and State fees.	\$4,656 +CPI or 19% of study costs whichever is greater plus actual cost of Study and any required County and State fees.	\$4,656 +CPI or 19% of study costs whichever is greater plus actual cost of Study and any required County and State fees.	100%
33	206-38183	Res. Planned Dev Review	Application	\$3,199 \$1,137 if processed concurrently with Tentative Subdivision or Parcel Map	<u>\$3,608 +CPI</u> \$1,137 +CPI if processed concurrently with Tentative Subdivision or Parcel Map	<u>\$4,016 +CPI</u> \$1,137 +CPI if processed concurrently with Tentative Subdivision or Parcel Map	<u>\$4,424 +CPI</u> \$1,137 +CPI if processed concurrently with Tentative Subdivision or Parcel Map	100%
34	206-38184	Res. Planned Dev Amendment Review	Application	Fully burdened hourly rate*	Same	Same	Same	100%
35	206-38141	Preliminary Measure "P" Review	Application	\$1,981	<u>\$2,598 +CPI</u>	<u>\$3,214 +CPI</u>	<u>\$3,830 +CPI</u>	100%
35 A	206-38143	Micro Measure 'P' Admin Review	Application	\$1,168	<u>\$2,366 +CPI</u>	<u>\$3,564 +CPI</u>	<u>\$4,761 +CPI</u>	100%
35 B	206-38144	Micro Measure 'P' Non-Admin Review	Application	\$913	<u>\$2,713 +CPI</u>	<u>\$4,513 +CPI</u>	<u>\$6,313 +CPI</u>	100%
36	206-38142	Final Measure 'P' Review	Application	\$4,415	<u>\$6,600 +CPI</u>	<u>\$8,784 +CPI</u>	<u>\$10,968 +CPI</u>	100%
37	206-38111	Cultural Resource Designation Review	Application	\$1,578	<u>\$2,225 +CPI</u>	<u>\$2,872 +CPI</u>	<u>\$3,519 +CPI</u>	100%
38	206-38112	Cultural Resource Alteration	Application	\$1,649	<u>\$2,273 +CPI</u>	<u>\$2,896 +CPI</u>	<u>\$3,519 +CPI</u>	100%
39	206-38104	Process Appeal-Com Board Decision	Application	\$1,400	<u>\$1,695 +CPI</u>	<u>\$1,990 +CPI</u>	<u>\$2,284 +CPI</u>	100%
40	206-38105	Process Appeal-Staff	Application	\$368	<u>\$1,007 +CPI</u>	<u>\$1,646 +CPI</u>	<u>\$2,284 +CPI</u>	100%
41	206-38115	Development Agreement Review	Request	\$1,004 \$614 if processed concurrently with Tentative Subdivision	<u>\$2,118 +CPI</u> <u>\$1,833 +CPI</u> if processed concurrently with	<u>\$3,232 +CPI</u> <u>\$3,051 +CPI</u> if processed concurrently with	<u>\$4,346 +CPI</u> <u>\$4,269 +CPI</u> if processed concurrently with	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
				or Parcel Map.	Tentative Subdivision or Parcel Map.	Tentative Subdivision or Parcel Map	Tentative Subdivision or Parcel Map	
42	206-38122	Dev. Credit Trans. Admin.	Request	Fully burdened hourly rate*	Same	Same	Same	100%
42 A	206-38740	Reimbursement Agreement	Application	\$708	<u>\$958 +CPI</u>	<u>\$1,207 +CPI</u>	<u>\$1,456 +CPI</u>	100%
43	206-38178	Williamson Act. Cancel. Review	Request	\$1,372	<u>\$2,147 +CPI</u>	<u>\$2,804 +CPI</u>	<u>\$3,519 +CPI</u>	100%
44	206-38187	Zoning Conf. Review	Request	\$71	<u>\$329 +CPI</u>	<u>\$587 +CPI</u>	<u>\$845 +CPI</u>	100%
44 A	206-38725	Flood Zone Review	Application	\$65	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
45	206-38163	Tree Removal Review	Application	\$50	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	14.32%
46	206-38176	Exception to Loss of Building Allotment	Request	<u>NEW</u>	<u>\$1,435 +CPI</u>	<u>\$1,907 +CPI</u>	<u>\$2,379 +CPI</u>	100%
47	206-38108	C.C. & R. Review	Application	\$191 plus fully burdened hourly rate* for City Attorney review	<u>\$613 +CPI</u> plus fully burdened hourly rate* for City Attorney review	<u>\$1,035 +CPI</u> plus fully burdened hourly rate* for City Attorney review	<u>\$1,457 +CPI</u> plus fully burdened hourly rate* for City Attorney review	100%
48	206-38198	Planning Consultation	Request	Fully burdened hourly rate*	Same	Same	Same	100%
48 A	207-37912	General Plan Maintenance	Application	A surcharge of 3% of the permit fee added to each Bldg. and Planning Permit.	Same	Same	Same	100%
49	206-38734	Eng. Plan Checking & Inspect.	Application	Fee Based on Estimated Construction costs. For est. constructions costs -up to \$100,000 = 10.8% -between \$100,001 and \$200,000 = 9.6% - between \$200,001	Fee Based on Estimated Construction costs. For est. constructions costs -up to \$100,000 = <u>11.7%</u> -between \$100,001 and \$200,000 = <u>10.5%</u> - between \$200,001	Fee Based on Estimated Construction costs. For est. constructions costs -up to \$100,000 = <u>12.5%</u> -between \$100,001 and \$200,000 = <u>11.2%</u> - between \$200,001	Fee Based on Estimated Construction costs. For est. constructions costs -up to \$100,000 = <u>13.3%</u> -between \$100,001 and \$200,000 = <u>11.8%</u> - between \$200,001	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
				and \$500,000 = 8.4% - exceeding \$500,000 = 7.2%	and \$500,000 = <u>9.1%</u> - exceeding \$500,000 = <u>7.8%</u>	and \$500,000 = <u>9.7%</u> - exceeding \$500,000 = <u>8.3%</u>	and \$500,000 = <u>10.3%</u> - exceeding \$500,000 = <u>8.8%</u>	
49 A	206-38719	Engineering Services/Consultation	Request	Fully burdened hourly rate*	Same	Same	Same	100%
50	206-38737	Street Vacation Review	Application	Fully burdened hourly rate* plus attorney's fees	Same	Same	Same	100%
50 A	206-38737	Easement Abandonment	Application	\$1306	<u>\$1,525 +CPI</u>	<u>\$1,744 +CPI</u>	<u>\$1,963 +CPI</u>	100%
52	206-38430	Certificate of Compliance	Request	\$947	<u>\$1,382 +CPI</u>	<u>\$1,817 +CPI</u>	<u>\$2,251 +CPI</u>	100%
55	206-38703	Encroachment Rev. & Insp.	Permit	\$158 per permit plus fully burdened hourly rate for inspection time in excess of one hour.	<u>Utility: \$199 +CPI</u> per permit plus fully burdened hourly rate for inspection time in excess of one hour. <u>Private: \$240 +CPI</u> per permit plus fully burdened hourly rate for inspection time in excess of one hour.	<u>Utility: \$240 +CPI</u> per permit plus fully burdened hourly rate for inspection time in excess of one hour. <u>Private: \$321 +CPI</u> per permit plus fully burdened hourly rate for inspection time in excess of one hour.	<u>Utility: \$281 +CPI</u> per permit plus fully burdened hourly rate for inspection time in excess of one hour. <u>Private: \$402 +CPI</u> per permit plus fully burdened hourly rate for inspection time in excess of one hour.	100%
57 C	Various	Commercial Development Assistance	Request	Fully burdened hourly rate*	Same	Same	Same	100%
57 D	Various	Residential Dev. Financial Assistance	Request	Fully burdened hourly rate*	Same	Same	Same	100%
59	010-37204	Bicycle Registration	License	\$10	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
62	206-38433	Bldg. & Health Code Enforcement	Inspection	Fully burdened hourly rate*	Same	Same	Same	100%
63	206-38442	Zoning Code Enforcement	Inspection	Fully burdened hourly rate*	Same	Same	Same	100%
65	010-37636	Community Event Security	Hour	Fully burdened hourly rate*	Same	Same	Same	100%
65 B	010-37914	Special Traffic Control	Request	Fully burdened hourly rate*	Same	Same	Same	100%
66	010-	Police False Alarm Charge	Response	One free plus	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
	37834			\$119 for each additional false alarm within 90 days				
67	206-38722	Wide and Overweight Load Review	Permit	Single Trip-\$22 Blanket (Annual) \$108	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
69	010-37836	Police Report	Report	\$12 plus \$0.30 for each page over 5 PP.	\$12 + <u>\$0.04</u> for each page over 5 PP. <u>+CPI</u>	\$12 + <u>\$0.04</u> for each page over 5 PP. <u>+CPI</u>	\$12 + <u>\$0.04</u> for each page over 5 PP. <u>+CPI</u>	100%
70	010-37633	DUI Investigations	Citation	\$540	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
71 A	010-37901	Stored Vehicle Release Processing	Vehicle	\$58	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
71 B	010-37902	VIN Verification	Response	\$48	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
72	010-37839	Police Photograph Sale	Photo	\$17 Photo \$18 video tape \$34 90-minute audio tape \$25 60-minute audio tape	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
88 A	Various	Special Events - Community Parks	Event	Fully burdened hourly rate*	Same	Same	Same	100%
88 B	Various	Special Events - City Streets	Event	Fully burdened hourly rate*	Same	Same	Same	100%
89	206-38428	Parcel Map Address	Application	\$53	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
90	206-38428	Tract Map Address	Application	\$106	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
91	206-38723	Wide Load Review - PW	Application	\$19	<u>\$61 +CPI</u>	<u>\$103 +CPI</u>	<u>\$145 +CPI</u>	100%
92	206-38724	Wide Load Permit	Permit	\$108	<u>\$121 +CPI</u>	<u>\$133 +CPI</u>	<u>\$145 +CPI</u>	100%
93	206-38741	Reimbursement Agreement - PW	Application	\$708	\$958 <u>+CPI</u>	<u>\$1,207 +CPI</u>	<u>\$1,456 +CPI</u>	100%
100 A	650-37661	Secondary Water Quality Testing	Service Call	\$80	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
101	650-37672	Meter Install & Service	Meter	\$51 plus cost of meter plus \$125 for MXU radio read & install 5/8" to 2" meter; Fully burdened hourly rate* plus cost of meter plus \$125 for MXU radio read & install 3" meter	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
102	650-37858	Utility Account Set-up	Customer	\$25	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
103	650-37673	Delinquent Water Turn Off/On	Customer	\$38-normal working hrs. \$76-after hours	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
103 A	650-37892	Utility Service Call	Request	Fully burdened hourly rate*	Same	Same	Same	100%
104	650-37859	Annual Backflow Testing Administration	Test	\$10	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	32.61%
104 A	650-37859	Construction Backflow Inspect.	Inspection	\$46	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
104C	650-37882	Delinquent Door Hangers	Delinquent Acct	\$4	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
116	010-37867	Retuned Check Processing	Check	\$18	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
117	010-37868	Records Research Service	Hour	Fully burdened hourly rate* against an initial deposit	Same	Same	Same	100%
117 A	640-37881 650-37881	Utility Bill-Delinquent Charges	Customer	1-1/2% per month on delinquent unpaid balance	Same	Same	Same	100%
117 B	650-37882	Delinquent Bill Processing (Notice)	Bill	\$12	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
118	010-37617	Document Print & Copying	Item	\$0.30 per page	<u>\$0.04</u> per page <u>+CPI</u>	<u>\$0.04</u> per page <u>+CPI</u>	<u>\$0.04</u> per page <u>+CPI</u>	100%
119	010-37869	Agenda Mail Service - Annual	Request	\$0.30 per page.	<u>\$0.04</u> per page <u>+CPI</u>	<u>\$0.04</u> per page <u>+CPI</u>	<u>\$0.04</u> per page <u>+CPI</u>	100%
119A	010-	City Council Agenda Packet Mail	Request	\$1,584	<u>\$211</u> <u>+CPI</u>	<u>\$211</u> <u>+CPI</u>	<u>\$211</u> <u>+CPI</u>	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
	37869	Service – Annual						
119B	206-38192	Planning Commission Agenda Packet Mail Service – Annual	Request	\$569	<u>\$76 +CPI</u>	<u>\$76 +CPI</u>	<u>\$76 +CPI</u>	100%
123	010-37678	Electronic Search of Public Records	Tape	\$2,500	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
124	010-37883	City Attorney	Request	. Fully burdened hourly rate*	Same	Same	Same	100%
125	304-37663	Storm Drain Fees – Frontage Charge			Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	
		One-Sided	Lineal Foot	\$80				100%
		Two-Sided	Lineal Foot	\$40				100%
126 A	650-37663	Front Footage Charge	Lineal Foot	\$50	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
		Water One-sided	Lineal Foot	\$25				100%
		Water Two-sided	Lineal Foot	\$50				100%
B	640-37663	Sewer One-Sided	Lineal Foot	\$25				100%
		Sewer Two-Sided	Lineal Foot					
129	350-37648	Underground Utilities Fees			Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	
		One-Sided	Lineal Foot	\$200				100%
		Two-Sided	Lineal Foot	\$100				100%
132	010-37875	Bond Letter	Request	\$45	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
135	206-38716	Map Checking-Parcel Map	Request	\$2,579/parcel map \$3,634msubdivision map	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
137	010-37886	Business License Application Review	Application	\$46-new/moved \$0-renewal \$57-if home occupancy permit is needed	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
139	010-37917	Business License Listing	Request	\$0.30 per page	<u>\$0.04</u> per page <u>+CPI</u>	<u>\$0.04</u> per page <u>+CPI</u>	<u>\$0.04</u> per page <u>+CPI</u>	100%
140	010-37980	Animal Control Fees		**See below**				
140 A	010-37980	Animal Establishment Permits: a) Pet shop, commercial	Permit	\$96	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
		kennel, pet grooming parlor, animal menagerie, animal shelter or horse establishment b) Private Kennel	Permit	\$51				
140 B	010-37980	Cat Registration Fees: a)neutered or spayed animal 1 yr b)neutered or spayed animal (3yrs) c)unaltered animal (1 yr) d)unaltered animal (3 yrs)	License License License License	\$12 \$31 \$17 \$41	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	70.59% 60.78% 100% 80.39%
140 C	010-37980	Dog License Fees: a)neutered or spayed animal (1 yr) b)neutered or spayed animal (3 yrs) c)unaltered animal (1 yr) d)unaltered animal (3 yrs) e)Penalty fee per MHMC 6.12.060 f)Duplicate Tag g)Potentially Dangerous Animal Fee	License License License License License License License Incident	\$12 \$31 \$17 \$41 \$25 \$4 \$50	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	70.59% 60.78% 100% 80.39% N/A 100% 100%
140 D	010-37980	Bite Investigation and Report	Incident	\$125	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
140 E	010-37980	Inspection and Quarantine Order: a. Plus actual costs of housing, feeding & care of quarantined animal. b. The administrator may waive said fee as follows: 1.Where dog is only suspected of biting; 2.Dogs used in gvrnmnt. law enforcement; 3.Guide dogs for blind or deaf persons;	Incident	\$105	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	Column A Proposed Fee July 1, 2003	Column B Projected Fee July 1, 2004	Column C Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
		4.Dogs that have bitten any person trespassing on the dog owners 5.Dogs that have bitten any person trespassing on the dog owner's property.						
140 F	010-37980	Impoundment - Does not include county shelter drop fee for dogs and cats. Hauling and boarding costs for livestock shall be charged the owner in an amount sufficient to defray all actual expenses, including staff time and overhead.	Incident	\$105	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
140 G	010-37980	Board Fees for each day over 2 a) Dog (per day) b) Cat (per day) c) Other animals (per day)	Incident	Impoundment + \$15/day Impoundment + \$15/day Impoundment + \$15/day	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100% 100% 100%
140 H	010-37980	County Shelter Drop Fee Does not include boarding fees charged per day.	Incident	Per agreement	Same	Same	Same	N/A
141	010-37633	Police Mutual Aid	Hour	Overtime Rate	Same	Same	Same	100%
142A	010-37221	Live Entertainment Permit – New	Permit	\$72	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
142B	010-37221	Live Entertainment Permit – Renewal	Permit	\$39	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
142C	010-37221	Live Entertainment Permit – 1-time only	Permit	\$55	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
142D	010-37222	Taxi License – Company	License	\$97	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
142E	010-37222	Taxi License – Driver	License	\$47	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
142F		Adult Business Permit	Permit	\$226	Same <u>+CPI</u>	Same <u>+CPI</u>	Same <u>+CPI</u>	100%
143	010-	Special Police Detail	Hour	Fully burdened	Same	Same	Same	100%

ATTACHMENT A

Service No	Account Number	Service Center	Unit	Current Fee	<u>Column A</u> Proposed Fee July 1, 2003	<u>Column B</u> Projected Fee July 1, 2004	<u>Column C</u> Projected Fee July 1, 2005	% of Costs Reasonably Borne to Be Recovered
	37636			hourly rate*				
154	010-37938	Other Extraordinary Services (including After Hours Inspections, Noise Level Monitoring Code Enforcement, and Research)	Request	Fully burdened hourly rate*	Same	Same	Same	100%

- Burdened hourly rates are to be established by the City Manager at a rate that does not exceed the sum of the actual salary, employee benefit, and applicable overhead costs



CITY COUNCIL STAFF REPORT

MEETING DATE: March 19, 2003

ZONING AMENDMENT APPLICATION, ZA-02-18: COCHRANE - IN-N-OUT BURGER/APPLEBEE'S

RECOMMENDED ACTION:

Open Public Hearing and Continue to April 2

EXECUTIVE SUMMARY:

The applicant is requesting approval to amend the Tharaldson Planned Unit Development (PUD), located at the northwest quadrant of Cochrane Road and Highway 101. The amendment request includes the following:

1. Construction of a 3,253-sf drive-thru fast food restaurant with outdoor seating, in lieu of a required 8,000-sf sit down restaurant.
2. Replacement of a 6,300-sf sit-down restaurant with a 5,000 to 6,500-sf sit down restaurant.
3. Amendments to the Tharaldson PUD, as contained in Ordinance No. 1475.
4. Exceptions to the city-wide PUD standards, as contained in Chapter 18.30 of the Municipal Code.

This item was agendized and noticed for the March 19 meeting. However, the applicant has requested to continue the item to April 2 due to a family emergency.

FISCAL IMPACT: None. Filing fees were paid to the City to cover the cost of processing this application.

Agenda Item # 21

Prepared By:

Associate Planner

Approved By:

CDD Director

Submitted By:

City Manager



CITY COUNCIL STAFF REPORT

MEETING DATE: March 19, 2003

OUT OF AGENCY SERVICE REQUEST OSR 03-02: ANDERSON LAKE-COUNTY OF SANTA CLARA

RECOMMENDED ACTION(S):

1. Open/Close Public Hearing
2. Adopt resolution of approval forwarding the request to LAFCO.

EXECUTIVE SUMMARY: The Santa Clara County Parks and Recreation Department is requesting approval of an Out of Agency Urban Service request for water connection to provide water for the restroom, drinking fountain, and landscape irrigation at Anderson Lake County Park for the boat ramp and day use improvements. The boat ramp is located at the top of the dam of Anderson Lake Park. The County is requesting approval to connect their 3-inch water line, which ends at the City Limits near Holiday Drive, to the City's 6-inch water line. The remaining extension would be about 50 feet.

The boat launch site is within the City's Sphere of Influence but is located outside of the City Limits, Urban Service Area Boundary (USA), and Urban Growth Boundary (UGB). To service the boat launch site with water a 3-inch, 4,350 foot long water line is needed. The County has constructed approximately 4,300 feet of the water line to the City Limit, near Holiday Drive.

The restroom for the site is complete and the parking lot should be completed by the end of March. The County plans on finishing the boat ramp and landscaping by May 2003 and they hope to open the boat launch to the public in May or June of 2003. The County will truck in water to maintain the landscaping and use portable restrooms until the site has water service.

The site contains an existing well. However, the well is contaminated. In order to provide water service from a well, the existing well would need to be repaired or a new well drilled. In addition, all drinking water coming from any well would need to be treated. Building a treatment plant for one well to serve the restroom and drinking fountain is not practical. Government Code section 56133(c) allows a jurisdiction to provide an extension of services outside its jurisdiction if there is a threat to public health and safety.

The boat launch is a significant benefit to the citizens of the City of Morgan Hill and the citizens of Santa Clara County. The boat launch will provide additional recreation opportunities for City and Countywide residents. The benefits of providing water service to the boat launch outweigh the negative aspects of the continued decentralization of the City service area. Further, there may be a threat to public health and safety because of a lack of restrooms and drinking water if water service is not provided. Staff recommends approval of the Out of Agency Urban Service request for water connection. If approved by the Council, a resolution will be forwarded to LAFCO for consideration.

FISCAL IMPACT: None. Filing fees were paid to the City to cover the cost of processing this application.

Agenda Item #22

Prepared By:

(Assistant Planner)

Approved By:

(Department Director)

Submitted By:

City Manager

RESOLUTION NO. 5660

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN EXTENSION OF CITY WATER FOR RESTROOMS, WATER FOUNTAIN AND LANDSCAPE IRRIGATION TO THE ANDERSON LAKE BOAT LAUNCH FACILITIES ON A 48.9 ACRE SITE LOCATED ON THE EAST SIDE OF COYOTE ROAD (APN 728-34-017)

WHEREAS, the City Council recognizes that the boat launch facility will be an important recreation facility for residents of Morgan Hill and Santa Clara County;

WHEREAS, the City Council finds that water service will ultimately be necessary to provide restroom services, drinking water, and landscape irrigation to the property;

WHEREAS, water service will help ensure the project's completion;

WHEREAS, without water service for drinking and sanitation, there may be a threat to public health and safety;

WHEREAS, no other options are available for providing water for the property; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

WHEREAS, such request was considered by the City Council at their regular meeting of March 19, 2003 at which time the City Council approved the Out of Urban Service Area Request, OSR-03-02: Anderson Lake-County of Santa Clara.

NOW, THEREFORE, THE MORGAN HILL CITY COUNCIL DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds there may be a threat to public health and safety if water service is not extended per Government Code section 56133(c).

SECTION 2. The City Council finds there are unique circumstances such that the public benefits of the proposed project to be served outweigh the negative aspects of the continued decentralization of the City service area.

SECTION 3. Sufficiently water services are available to the site from Holiday Drive. The County has constructed a water line to the City Limit and needs to extend the line approximately 50 feet to connect to the City's water line on Holiday Drive.

SECTION 4. The Applicant shall enter into a hold harmless agreement and waiver and release agreement with the City in a form acceptable to the City Attorney. The agreement shall, at a minimum, hold harmless and release the City from all responsibility if the backflow preventer or the water system fails and damage from any future water backup, overflow, or other contamination results.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 19th Day of March, 2003, by the following vote.

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

🍷 CERTIFICATION 🍷

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Resolution No. 5660, adopted by the City Council at a Regular Meeting held on March 19, 2003.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: (March 19, 2003)

ZA-02-21: City of Morgan Hill-Amendment of Zoning Map

RECOMMENDED ACTION(S):

1. Open/close Public Hearing
2. Adopt Ordinance approving zoning amendment

EXECUTIVE SUMMARY: In July 2001, the City Council adopted an updated General Plan. Since that time, staff has identified 51 properties at fifteen different locations that have a zoning designation that are in conflict with the adopted General Plan. Attached as Exhibit A are several location maps and a list showing the location of the conflicts and the recommended changes.

The proposed corrections include:

Site 1 and Site 2- Rezone from R2-3,500 to PUD. Site 1 has a Public Facilities General Plan Designation. Site 2 has a Commercial General Plan designation. The Planning Commission is recommending both sites be zoned as PUD allowing for the same uses as the adjacent hospital PUD and the uses supportive of that PUD.

Site 3- Rezone from General Commercial to Public Facilities. The General Plan designation is Public Facilities.

Site 4- Rezone from R1-20,000 to R1-9,000. The General Plan designation is Single-Family Medium.

Site 5- Rezone from R1-12,000 to RE-100,000. The General Plan designation is Residential Estate.

Site 6- Rezone from General Commercial to Public Facilities. The General Plan designation is Public Facilities.

Site 7- Rezone from R2-3,500 to Light Industrial. The General Plan designation is Industrial.

Site 8- Rezone from RE-100,000 to Open Space. The General Plan designation is Open Space.

Site 9- Staff had recommended rezoning from R2-3,500 to R1-7,000. The Planning Commission is recommending no change to the zoning because the General Plan for the site will be amended for the Indoor Recreation Center. Staff continues to recommend that the site be rezoned from R2-3,500 to R1-7,000 to create consistency between the zoning ordinance and General Plan. The General Plan designation is Single-Family Medium. The enclosed ordinance contains the Planning Commission recommendation. Should the Council wish to amend the property zoning, amendment to the attached ordinance would be required.

Site 10- Rezone from Service Commercial to R3. The General Plan designation is Multi-Family Medium.

Site 11- Rezone from Service Commercial to Light Industrial. The General Plan designation is Industrial.

Site 12- Rezone from General Commercial to R2-3,500. The General Plan designation is Multi-Family Low.

Site 13- Rezone from Residential Plan Development to R1-20,000. The General Plan designation is Single-Family Low.

Site 14- Rezone from Residential Plan Development to Open Space. The General Plan designation is Open Space.

Site 15- Rezone from Residential Estate 10 Acres to Open Space. The General Plan designation is Open Space.

The change in land use designations were approved as part of a Master Environmental Impact Report for the 2001 General Plan update. The Planning Commission considered the zoning amendments at their February 25, 2003 meeting. The Commission voted (7-0) to recommend approval of the amendments. A copy of the Commission staff report and minutes are attached for the Council's reference.

FISCAL IMPACT: The cost of researching and compiling this documentation was approximately \$2,500.00. This amount is charged to the General Plan Fund.

R:\PLANNING\WP51\Zoning Amendment\2002\ZA0221\ZA0221.M1C.doc

Agenda Item # 23

Prepared By:

Assistant Planner

Approved By:

**Community
Development Director**

Submitted By:

City Manager

ORDINANCE NO. 1611

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING ORDINANCE NO. 559 NEW SERIES, BY ZONING PROPERTIES IN VARIOUS LOCATIONS THROUGHOUT THE CITY TO MAINTAIN CONSISTENCY WITH THE GENERAL PLAN. (ZA-02-21: CITY OF MORGAN HILL-AMENDMENT OF ZONING MAP)

THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The proposed zoning amendment is consistent with the Zoning Ordinance and the General Plan.

SECTION 2. The zone change is required in order to serve the public convenience, necessity and general welfare as provided in Section 18.62.050 of the Municipal Code.

SECTION 3. A Master Environmental Impact Report has been prepared for the 2001 General Plan update and has been found complete, correct and in substantial compliance with the requirements of the California Environmental Quality Act. The Zoning Amendment complies with the General Plan as required by §65860 of the Government Code.

SECTION 4. The Zoning Map of the City of Morgan Hill, which is referenced under Title 18, Chapter 18.06 of the Morgan Hill Municipal Code, is hereby amended as specified below and shown on the attached exhibit A:

Site Area	APN	Lot Acreage	General Plan	Existing Zoning	Proposed Zoning
1	728-31-006	2.5	PF	R2-3,500	PUD*
2	728-31-005	1.4	C	R2-3,500	PUD*
3	764-10-005	2.0	PF	CG	PF
4	764-32-037	0.2	SFM	R1-20,000	R1-9,000
4	764-32-038	0.2	SFM	R1-20,000	R1-9,000
4	764-32-039	0.3	SFM	R1-20,000	R1-9,000
4	764-32-032	0.2	SFM	R1-20,000	R1-9,000
4	764-32-040	0.3	SFM	R1-20,000	R1-9,000
4	764-32-033	0.2	SFM	R1-20,000	R1-9,000
4	764-31-013	1.0	SFM	R1-20,000	R1-9,000
4	764-32-034	0.2	SFM	R1-20,000	R1-9,000
4	764-32-035	0.2	SFM	R1-20,000	R1-9,000
4	764-32-025	1.1	SFM	R1-20,000	R1-9,000
5	764-32-023	3.3	RE	R1-12,000	RE-100,000
6	726-25-003	3.4	PF	CG	PF

7	726-26-005	4.7	I	R2-3,500	ML
Site Area	APN	Lot Acreage	General Plan	Existing Zoning	Proposed Zoning
8	767-06-031	0.3	OS	RE-100,000	OS
8	767-06-030	0.3	OS	RE-100,000	OS
8	767-06-029	0.3	OS	RE-100,000	OS
8	767-06-028	0.3	OS	RE-100,000	OS
8	767-06-027	0.3	OS	RE-100,000	OS
8	767-06-026	0.3	OS	RE-100,000	OS
8	767-06-025	0.3	OS	RE-100,000	OS
8	767-06-024	0.3	OS	RE-100,000	OS
9	767-18-025	8.3	SFM	R2-3,500	No Change
10	817-09-036	0.8	MFM	CS	R3
10	817-09-051	2.2	MFM	CS	R3
11	817-07-007	9.8	I	CS	ML
12	767-23-009	0.9	MFL	CG	R2-3,500
12	767-23-016	3.6	MFL	CG	R2-3,500
12	767-23-006	3.6	MFL	CG	R2-3,500
13	779-34-017	1.0	SFL	RPD	R1-20,000
13	779-34-016	1.0	SFL	RPD	R1-20,000
13	779-34-001	0.6	SFL	RPD	R1-20,000
13	779-34-015	1.0	SFL	RPD	R1-20,000
13	779-34-002	0.6	SFL	RPD	R1-20,000
13	779-34-003	0.6	SFL	RPD	R1-20,000
13	779-34-014	0.4	SFL	RPD	R1-20,000
13	779-34-013	0.4	SFL	RPD	R1-20,000
13	779-34-004	0.6	SFL	RPD	R1-20,000
13	779-34-012	0.5	SFL	RPD	R1-20,000
13	779-34-005	0.5	SFL	RPD	R1-20,000
13	779-34-011	0.4	SFL	RPD	R1-20,000
13	779-34-006	0.5	SFL	RPD	R1-20,000
13	779-34-007	0.6	SFL	RPD	R1-20,000
13	779-34-008	0.6	SFL	RPD	R1-20,000
14	779-34-018	1.4	OS	RPD	OS
15	817-20-034	2.0	OS	RE-10	OS
15	817-20-033	3.7	OS	RE-10	OS
15	817-22-024	7.7	OS	RE-10	OS
15	817-22-022	9.2	OS	RE-10	OS

*The allowable uses in this PUD shall be the same uses as the adjacent Hospital PUD and the other uses supportive of that PUD.

SECTION 5. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 6. Effective Date Publication. This ordinance shall take effect from and after thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

The foregoing ordinance was introduced at the regular meeting of the City Council of the City of Morgan Hill held on the 19th Day of March 2003, and was finally adopted at a regular meeting of said Council on the 2nd Day of April 2003, and said ordinance was duly passed and adopted in accordance with law by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST:

APPROVED:

Irma Torrez, City Clerk

Dennis Kennedy, Mayor

☞ CERTIFICATE OF THE CITY CLERK ☞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 1611, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 2nd Day of April, 2003.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk



CITY COUNCIL STAFF REPORT
MEETING DATE: March 19, 2003

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ANNUAL ALLOCATION (FY2003-2004)**

RECOMMENDED ACTIONS:

1. Conduct Public Hearing
2. Adopt Resolution for Allocation of FY2003-2004 Federal CDBG Funds.
3. Authorize the City Manager to do everything necessary for the implementation of the CDBG Program including execution of all required contracts.

EXECUTIVE SUMMARY: The City of Morgan Hill will receive \$173,720 in new CDBG funds for FY2003-2004. Of this amount, \$35,594 can be used for Public Services and \$138,126 can be used for Non-Public Services activities (e.g., park improvements). In addition, staff estimates having \$71,830 in unexpended CDBG funds this fiscal year from the Youth Outreach (Lighthouse) and the East Central Avenue Upgrades Project. Last year, the City of Morgan Hill received a total of \$175,046 in CDBG funds.

We have received 16 proposals requesting CDBG funds. Fourteen (14) of the proposals are for Public Services funds and two (2) proposals are for the Non-Public Services funds. The public service proposals are requesting a total of \$155,935 in CDBG Funds. Copies of these proposals are attached. Of the fourteen (14) proposals received, four are proposals which were not funded in FY02-03.

Last year, in addition to the \$36,793 in CDBG Public Services funds, three (3) organizations received \$56,000 in 20% Set-Aside Funds. Staff recommends continuing to augment CDBG funds with RDA 20% Housing Set-Aside Funds and Housing Mitigation Funds. We are also recommending the use of Senior Housing Trust Funds to fund the Day Break Respite Program. The Council had previously referred this matter to the Senior Advisory Committee (SAC) for consideration. The SAC decided not to take any action indicating they believed the Senior Housing Trust Fund was earmarked for the future senior center and that this was a policy decision for the Council to consider. Staff believes this is an appropriate use of funds and requests the authority to amend the Senior Housing Trust Guidelines to clarify this type of use.

Table A shows the recommended allocations. We are recommending that the City continue its support of previously funded services with some increases for inflation. We are also recommending partial funding of \$5,224 for the Healthy Kids Program and that unexpended funds by Youth Outreach be carried over to next year as they have not executed the current year contract. We do not recommend any funding for the School Kits or Essential Kits programs because other community groups also provide these services to the community.

For the Non-Public Services funds, we are recommending that \$88,126 of new CDBG funds and \$64,731 of reprogrammed CDBG funds be allocated to the Galvan Park Improvement Project and \$50,000 for the Sobrato Transitional Center. The \$64,731 of reprogrammed funds is from the East Central Avenue Upgrade Project which is on hold at this time. When the project is ready to proceed, Public Works will request funds at that time.

FISCAL IMPACT: The City will allocate \$173,830 in CDBG funds for FY2003-04 including the unexpended \$71,624 from FY02-03. If approved, \$56,000 in RDA 20% Set-Aside, \$8,600 in Senior Housing Trust Funds and \$15,000 in Housing Mitigation Funds will be budgeted in the City/Agency's FY2003-04 budget.

Agenda Item # 24

Prepared By:

Municipal Services Assist.

Submitted By:

BAHS Director

Approved By:

City Manager

TABLE A

NON-PUBLIC SERVICES FUNDING REQUESTS				
PROJECT	CDBG/OTHER FUNDS RECEIVED FY2002-2003	CDBG FUNDS REQUESTED FY 2003-2004	CDBG FY03/04 FUNDING RECOMMENDATIONS	OTHER FUNDING RECOMMENDATIONS
Galvan Park Improvements (City of Morgan Hill)	\$95,013 CDBG	\$153,600	\$152,857#	-0-
Sobrato Transitional Center (Emergency Housing Consortium)	New	\$50,000	\$50,000	-0-
TOTAL NON-PUBLIC SERVICES:		\$203,600	\$202,857	-0-
PUBLIC SERVICES FUNDING REQUESTS				
Day Break Respite Program (Catholic Charities)	-0-	\$8,600	-0-	\$8,600 (Senior Trust Fund)-
Long Term Care Ombudsman (Catholic Charities)	\$2,300 CDBG	\$4,000	\$2,415	-0-
Shared Housing @ Depot Commons (Catholic Charities)	\$15,000 RDA 20%	\$15,000	-0-	\$15,000
Operation Brown Bag (Second Harvest Food Bank)	\$3,300 CDBG	\$3,465	\$3,465	-0-
La Isla Pacific Shelter for Battered Women (Community Solutions)	\$16,000 RDA 20%	\$16,000	-0-	\$16,000
Homeless Shelter & Services (Emergency Housing Consortium)	\$15,000 Housing Mitigation Fees	\$15,000	-0-	\$15,000 (Housing Mitigation Fees)
Youth Outreach (The Lighthouse)	\$6,893 CDBG	\$20,000	\$6,893* (Roll-over from FY02-03)	-0-
Adult Day Care (Live Oak Adult Day Services)	\$3,800 CDBG	\$5,000	\$3,990	-0-
El Toro Youth Center/Friday Night Jams (Community Solutions)	\$15,500 CDBG	\$15,500	\$15,500	-0-
Tenant-Landlord Dispute Resolution (Project Sentinel)	\$25,000 RDA 20%	\$29,800	-0-	\$25,000
South Valley Day Worker Center (St. Catherine's Parish)	\$5,000 CDBG	\$5,000	\$5,000	-0-
Healthy Kids Program (Santa Clara County Health Foundation)	New	\$10,320	\$5,224	-0-
School Kits Program (Church of Jesus Christ of Latter Day Saints)	New	\$7,250	-0-	-0-
Essential Kits Program (Church of Jesus Christ of Latter Day Saints)	New	\$1,000	-0-	-0-
COLUMN TOTAL:		\$155,935	\$35,594	\$79,600

Total FY2003-2004 CDBG Public Services Funds Available:	\$ 35,594
Total Roll-over from FY02-03 Unexpended Public Service Funds:	\$ 6,893*
Total FY2003-2004 CDBG Non-Public Services Funds Available:	\$138,126
Total Roll-over from FY02-03 Unexpended Non-Public Service Funds	\$ 64,731
TOTAL CDBG AVAILABLE FOR FY2003-2004:	\$245,344

*Youth Outreach has not yet executed current fiscal year (FY02-03) contract.

#Includes \$64,731 from re-programmed funds

RESOLUTION NO. 5661

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL
AUTHORIZING SUBMITTAL OF FUNDING PROPOSALS FOR THE FISCAL
YEAR 2003-2004 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) PROGRAM.**

WHEREAS, the primary purpose of the CDBG program is to benefit low and moderate income individuals and families and the needs of senior citizens; and

WHEREAS, the City of Morgan Hill has received an allocation of \$173,720 in CDBG funds for Fiscal Year 2003-04; and

WHEREAS, the City of Morgan Hill may use up to \$35,594 of its Fiscal Year 2003-04 CDBG allocation for "Public Services"; and

WHEREAS, the City of Morgan Hill estimates having \$81,624 in unexpended Fiscal Year 2002-2003 CDBG funds remaining from the Central Avenue Upgrade Project and Youth Outreach Program; and

WHEREAS, the City Council wishes to appropriate the estimated amount of \$81,624 from Fiscal Year 2002-2003 to the new Fiscal Year 2003-2004; and

WHEREAS, the City Council held a public hearing on March 19, 2003 regarding the Fiscal Year 2003-04 Morgan Hill CDBG Program funds (\$173,720) and has allocated the funds as follows:

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (\$173,720)

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Morgan Hill, hereby authorizes the City Manager to take all necessary steps to submit and implement the 29th year allocation plan including execution of all required contracts.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 19th Day of March, 2003, by the following vote.

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

☪ CERTIFICATION ☪

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Resolution No. 5661, adopted by the City Council at a Regular Meeting held on March 19, 2003.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk



REDEVELOPMENT AGENCY

MEETING DATE: March 19, 2003

Santa Clara County's Courthouse Project

RECOMMENDED ACTION(S): Provide comments on the schematic design for the County of Santa Clara's Morgan Hill Courthouse project.

EXECUTIVE SUMMARY: In January 2001, the Redevelopment Agency (Agency) approved an agreement with the County of Santa Clara (County) to develop a new South County Justice Center in Morgan Hill to replace the County's facility in San Martin. The Morgan Hill Courthouse would include six courthouses, court administrative offices, and offices for the District Attorney, Public Defender and other related facilities/offices. The preferred location is the eight acre property just south of the Caltrain lot on Butterfield Blvd. Over the past two years, the County has been in the process of programming the facility and developing its schematic design. Their current plan envisions an 80,000 sq. ft. complex costing upwards of \$40M.

In February 2003, the Agency received the schematic design for the Morgan Hill Courthouse Campus which includes the Courthouse and Justice Agencies Building. In effort to get comments to the County early in their design development phase The County has indicated in a memo attached to the schematic design plans that ...“The Schematic Design and building plans and elevations represent the basic design that will be further developed and refined during the Design Development. Although some elements of the design, such as building floor plans and general site layout, are well-established, nothing is ‘set in stone.’ Many elements, such as building elevations, building materials and site development/landscaping, will be fully developed during Design Development.”

As the Design Development phase is just beginning, staff thought it would be prudent to try to get the Agency's comments on the Courthouse Campus to the County early on in the process Staff was meeting with the County staff and the architect to discuss the design plans during the preparation of this Agenda and was unable to prepare a staff report in time for the agenda packet. However, staff comments will be sent to the Agency members under a separate cover and we will also make an oral presentation at that time. Due to the size of the materials, the schematic design plans will also be sent to Agency members under a separate cover.

FISCAL IMPACT: None

Agenda Item #25

Approved By:

BAHS Director

Submitted By:

Executive Director



CITY COUNCIL STAFF REPORT
MEETING DATE: March 19, 2003

EMERGENCY AUTHORIZATION FOR WELL DRILLING

RECOMMENDED ACTION(S):

1. Adopt the attached Resolution declaring the need for this emergency expenditure.
2. Approve expenditure of funds not to exceed \$640,000 for construction of emergency well.

EXECUTIVE SUMMARY: As Council has recently been informed, perchlorate has been detected in two existing wells, and even though the levels are below the action level (AL) set by DOHS, the wells remain off line pending additional water quality testing. The City must construct an additional well prior to this summer's peak water demand, in case by this summer we are experiencing levels of perchlorate near the AL in these wells. The only viable short term option for avoiding a water shortage emergency for the City is the construction of a new well using the emergency procurement procedures where we waive the formal bidding requirements of the public bid law. Staff has been working with a property owner to acquire a portion of his property off of Peet Road just south of Cochrane, near a City water line where we can quickly connect a new well to our water supply. (see attached site map)

The attached proposal was prepared by Luhdorff & Scalmanini and provides a scope of work and budget estimates for engineering and construction of the emergency well. We anticipate that the emergency well would be operational in 90 days.

FISCAL IMPACT: The total project cost is \$640,000 and will be funded by the 02-03 Capital Improvement Program (CIP) Budget, Project #601093. There is a total of \$640,000 budgeted in 02-03 for New Well Construction project.

Agenda Item # 26

Prepared By:

Senior Civil Engineer

Approved By:

Public Works Director

Submitted By:

City Manager

RESOLUTION NO. 5657

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL
DECLARING THE NEED FOR AN EMERGENCY EXPENDITURE FOR A NEW
WATER WELL IN ACCORDANCE WITH PUBLIC CONTRACT CODE 20168**

WHEREAS, an emergency currently exists since two of the City's 12 production wells have been taken out of service due to potential perchlorate contamination; and

WHEREAS, unless full pumping well capacity is restored within the 90 days that will be required to drill and equip the well under emergency procurement procedure the water demand in the City may be above our well pumping capacity and a water shortage may result; and

WHEREAS, a water shortage would create great and extraordinary public calamity since water would not be sufficient for drinking nor fire protection purposes; and

THEREFORE, BE IT RESOLVED by the City Council of the City of Morgan Hill that it does resolve, determine and order the following:

1. Nordstrom and Condit Wells have been temporarily taken out of service and a new well is needed to continue to provide drinking and fire protection water to the citizens of Morgan Hill.
2. By a majority vote of those present at the City Council meeting on March 19, 2003, the Council finds, based upon the foregoing reasons, that the immediate preservation of the public peace, health and safety requires said purchase to be made without competitive bids.
3. The sum of \$640,000 is hereby approved for expenditure for emergency well drilling and equipment.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 19th Day of March, 2003, by the following vote.

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

☞ CERTIFICATION ☞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Resolution No. 5657, adopted by the City Council at a Regular Meeting held on March 19, 2003.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk



REDEVELOPMENT AGENCY

MEETING DATE: MARCH 19, 2003

Agenda Item # 27

Prepared By:

**Manager, Recreation &
Community Services**

Submitted By:

Executive Director

PARKS AND RECREATION COMMISSION PUBLIC PROJECTS FUNDING ALLOCATION RECOMMENDATION

RECOMMENDED ACTION(S):

Receive for Agency Discretion the recommendation by the Parks and Recreation Commission to:

1. Allocate \$2.7 million of the Parks Development Fund to pay for the Outdoor Sport Complex
2. Increase Development Impact Fees to reduce impact of recommendation #1
3. Re-allocate \$2.7 million in RDA funds previously earmarked for Outdoor Sports Complex to the Aquatics Complex
4. To the extent that contingency in Aquatics Complex is not used, it is to be returned to the Park Development Fees Fund to offset the amount removed.

EXECUTIVE SUMMARY:

The Redevelopment Agency Board held a Meeting on January 29, 2003 to discuss the consideration of revisions to allocation of the Redevelopment Agency tax increment. This workshop was preceded by a decision the Agency had made on December 18, 2002 to place an additional \$2.7 million to the Aquatics Complex project. The Aquatics Complex had been funded at \$10.2 million but after preliminary design, it was discovered that \$12.9 million was required in order to fund the project with all of the programming elements desired. The Agency placed \$2.7 million into the Aquatic Complex project with the task of finding where the funds will come from. The Agency then requested that the Parks and Recreation Commission review specific public projects in order to recommend a way to find the \$2.7million. The Agency confirmed that the allocation for the aquatics complex is at \$12.9 million and asked the PRC to review the following funded public projects for the \$2.7million: Indoor Recreation Center, Sports Complex and Soccer Complex. The Agency Board also requested that the PRC include an evaluation of ideas such as those proposed by Chairman Kennedy and Vice-Chair Chang regarding the Gunderson property which was to possibly combine the indoor recreation center with the aquatic complex project on the soccer site and selling the Gunderson property to the RDA for a housing project at a current value of approximately \$5.5million.

The PRC met on March 4 and discussed the public project funding issue. The PRC did not want to impact the indoor recreation center project. After reviewing the staff report and attachments the PRC made the recommendation to keep the funding intact for the indoor recreation center and soccer complex (\$1million for CYSA to move) but were willing to borrow from the sports field project. They looked to other potential funding sources and saw an opportunity to fund the Outdoor Sports Complex project from the Park Development Fund. This recommendation would impact the potential to purchase land for parks and will impact projects Council has approved this fiscal year 03-04. Park Development Fund (301-8051) has \$2.8 million in projects adopted this fiscal year (attachment A).

FISCAL IMPACT: Funding for the Aquatics project has been recommended but park land purchase(s) will be adversely affected unless Park Impact Fees are raised.